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COMMITTEE ON THE INTERNATIONAL
YEAR FOR HUMAN RIGHTS

DRAFT REPORT OF THE COMMITTEE ON THE INTERNATIONAL YEAR FOR HUMAN RIGHTS

Rapporteur: Mr. Michelangelo PISANI MASSAMORMILE (Italy)

B. Recommendations of the Committee Relating to the Programme of Measures and Activities to be Undertaken in Connexion with the International Year for Human Rights

Introduction

44. Paragraphs 5 to 36 of the report of the Working Group were presented to the Committee as draft recommendations for its consideration and approval. The Committee decided to include in its report an analysis of its discussions in the consideration of the working document, and in particular a balanced presentation of the various opinions expressed during the debate.

1. Theme of the Ceremonies, Activities and Celebrations

45. Paragraph 5 of the report of the Working Group read as follows:

> "In the Committee's opinion the programme of measures and activities to be undertaken throughout the International Year for Human Rights should be calculated to encourage on as wide a basis as possible both nationally and internationally the protection of human rights and fundamental freedoms and to bring home to all the people the breadth of the concept of human rights and fundamental freedoms in all its aspects. The theme of the ceremonies, activities and celebrations should be 'The Deeper Meaning of Individual Liberty' 1/ as expounded in the Universal Declaration. The aim should be to dramatize this deeper meaning and to illustrate how narrow is the dividing line between a scrupulous observance of the obligation to respect human rights and fundamental freedoms and an effective denial of these rights and freedoms in our political, economic and social relationships."

"1/ One delegation suggested that the theme should be based on either the provisions of paragraph 2 of the Preamble of the United Nations Charter or Article 55 (c) of the same document."

46. The paragraph was considered by the Committee at its eleventh and twelfth meetings. While some members of the Committee were of the opinion that the theme suggested by the working group was most appropriate, others expressed misgivings about it. Several members raised the objection that it was a limited concept, and excluded the important right of self-determination. It was pointed out that the theme of the observances connected with the International Year for Human Rights could not be restricted to individual liberty, since individual liberty was inseparable from the liberty of peoples. It was also pointed out that the word "liberty" had political overtones, and that the expression "deeper meaning of

individual liberty" tended to relate more to a philosophical than to a legal concept. Some members expressed the view that the theme for the International Year for Human Rights should be taken either from the Charter or from the Universal Declaration of Human Rights, as these were texts which had been carefully considered and on which all Member States agreed.

47. On the other hand, some members maintained that the theme proposed by the Working Group was appropriate and should be maintained. They pointed out that all of the human rights and fundamental freedoms enumerated in the Universal Declaration of Human Rights emanated from the concept of individual liberty, and that the International Year for Human Rights should centre on this concept. Further, they maintained that not only traditional individual rights, but also collective rights, including economic and social rights and the right to independence, were derived from the principle of individual liberty which, far from excluding anything, opened the way to all developments leading to an improvement in the human condition. Some members favoured the theme proposed by the Working Group on the grounds that it was concrete and embraced all the principles of the Charter; moreover, in their view, it had the advantage of being concise and striking, and of lending itself easily for use as a slogan by all organizations and individuals taking part in the observances connected with the International Year for Human Rights.

48. In the course of the discussion various members of the Committee suggested new wordings for the theme of the observances, and for the final sentence of paragraph 5. The representative of Saudi Arabia expressed the view that the theme should be taken from the second paragraph of the preamble of the Universal Declaration of Human Rights, in which the peoples of the United Nations reaffirmed their "faith in human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small". The representative of India suggested the following wording: "Reaffirmation of faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men, and of nations large and small". The representative of the Philippines suggested that the proposed theme should be amended to read: "Greater recognition and enjoyment of the human rights and fundamental freedoms expounded in the Universal Declaration". With regard to the final sentence of paragraph 5, the representative of the Ivory Coast suggested that it be revised to read: "The aim should be to dramatize the deeper meaning of universal and effective respect for

human rights and fundamental freedoms for all without distinction as to race, sex, language or religion". The representative of Liberia suggested that the sentence should be revised to read: "The aim should be to dramatize universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion".

49. At the twelfth meeting, the representative of Liberia informed the Committee that most of the members who had presented proposals had conferred and had agreed to propose the following as the theme of the International Year for Human Rights: "Greater recognition and enjoyment of the fundamental freedoms of the individual and of human rights everywhere". The final sentence of paragraph 5 would be revised to read: "The aim should be to dramatize universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion".

50. The representative of Argentina suggested that the word "full" should be inserted in the proposed theme, before the word "enjoyment". The Committee accepted the wording proposed by the representative of Liberia, as amended by the representative of Argentina, and decided that, since the new wording took into account the provisions of article 55 (c) of the Charter, there was no further need for foot-note 1.

51. Accordingly, the Committee submits to the Commission on Human Rights the following recommendation:

I

In the Committee's opinion the programme of measures and activities to be undertaken throughout the International Year for Human Rights should be calculated to encourage, on as wide a basis as possible, both nationally and internationally, the protection of human rights and fundamental freedoms and to bring home to all the people the breadth of the concept of human rights and fundamental freedoms in all its aspects. The theme of the ceremonies, activities and celebrations should be: "Greater recognition and full enjoyment of the fundamental freedoms of the individual and of human rights everywhere". The aim should be to dramatize universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.

2. A Year of Activities

52. Paragraph 6 of the report of the Working Group read as follows:

"It is agreed that all the participants in the celebrations should be invited to devote the year 1968 as a whole to activities, ceremonies and observances. International and regional seminars, national conferences, lectures and discussions on the subject of the Universal Declaration 2/ should be organized throughout the year. Some countries will wish to stress the entire content of the Universal Declaration as further elaborated in later United Nations human rights programmes. Some participating countries may wish to emphasize during particular periods of the International Year, rights and freedoms in connexion with which they have faced special problems. During each such period the Governments would review against the standards set by the Universal Declaration their domestic legislation and the practices within their society in respect of the particular right or freedom which is the subject of that period's observances. They would assess the extent to which the right had been effectively secured and would give publicity to it and make special efforts to promote amongst their citizens a basic understanding of its nature and significance so that the gains already made might not easily be lost in the future. To the extent that the right or freedom had not yet been effectively secured, every effort would be made during the period towards its achievement. In the choice of subjects, priority would of course be given to those which will stimulate the widest possible participation on the part of the citizens and private organizations within the country. Bearing in mind the differentiation which the United Nations has established between rights of a civil and political character and those of an economic, social and cultural character, countries may wish to emphasize rights and freedoms falling in both categories. 3/"

"2/ One delegation felt that this should be extended to include subsequent declarations adopted by the General Assembly such as resolution 1514 (XV), Declaration on the granting of independence to colonial countries and peoples and the Declaration on the Elimination of All Forms of Discrimination.

"3/ One delegation felt that there should be an illustrative list with the different categories of rights as in ST/SG/AC.5/3 (para. 14) appended to the report."

53. The paragraph was considered by the Committee at its twelfth and thirteenth meetings. The representative of the Union of Soviet Socialist Republics indicated that the representative of his Government in the Working Group had made the proposal referred to in foot-note 2, and expressed the view that the scope of the international and regional seminars, national conferences, lectures and discussions envisaged in the paragraph should not be restricted to the Universal Declaration

of Human Rights, but should encompass also the Declaration on the granting of independence to colonial countries and peoples, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and all other basic texts of the United Nations dealing with human rights. While some members of the Committee supported this view, others maintained that it would be preferable to mention only the Universal Declaration of Human Rights, first because the International Year for Human Rights was designed primarily to commemorate the twentieth anniversary of that instrument, and secondly because reference to other documents might open the door to political controversies which might detract from the observance of the anniversary. It was pointed out that, in any event, the right to self-determination was set out in the Declaration, particularly in articles 1 and 21, and that the elimination of colonialism had been recognized, in the report of the Working Group, as one of the objectives of the programme.

54. The representative of Argentina proposed the deletion of foot-note 2 and the insertion in the text, after the words "Universal Declaration," of the words "and on other declarations and instruments of the United Nations relating to human rights". The Committee agreed to the proposal.

55. With regard to foot-note 3, the representatives of Afghanistan and Costa Rica requested that the view of their delegations, that an illustrative list of the various rights to which priority might be given during the International Year for Human Rights, along the lines of the list appearing in document ST/SG/AC.5/3, paragraph 14, should be recorded in the present report. The representative of Saudi Arabia proposed the deletion of the last sentence of paragraph 6, which in his view implied that the United Nations had established a differentiation between rights of a civil and political character and those of an economic, social and cultural character. The representative of the Philippines, while agreeing to the deletion, proposed that the word "would" in the penultimate sentence should be replaced by "could", and that the words "rights of a civil and political character or those of an economic, social and cultural character" should be inserted after "those".

56. The Committee agreed to the deletion of the last sentence of the paragraph, together with foot-note 3, and to the suggested revision of the penultimate sentence.

57. Accordingly, the Committee submits to the Commission on Human Rights the following recommendation:

II

It is agreed that all the participants in the celebrations should be invited to devote the year 1968 as a whole to activities, ceremonies and observances. International and regional seminars, national conferences, lectures and discussions on the Universal Declaration of Human Rights, and on other declarations and instruments of the United Nations relating to human rights, should be organized throughout the year. Some countries will wish to stress the entire content of the Universal Declaration, as further elaborated in later United Nations human rights programmes. Some participating countries may wish to emphasize, during particular periods of the International Year, rights and freedoms in connexion with which they have faced special problems. During each such period the Governments would review, against the standards set by the Universal Declaration of Human Rights, their domestic legislation and the practices within their society in respect of the particular right or freedom which is the subject of that period's observances. They would assess the extent to which the right had been effectively secured and would give publicity to it and make special efforts to promote amongst their citizens a basic understanding of its nature and significance so that the gains already made might not easily be lost in the future. To the extent that the right or freedom had not yet been effectively secured, every effort would be made during the period towards its achievement. In the choice of subjects priority could of course be given to those rights of a civil and political character and those of an economic, social and cultural character.

3. Activities and Observances by the United Nations

58. Paragraph 7 of the report of the Working Group read as follows:

"It is recommended that in December 1967 the President of the General Assembly, the Secretary-General of the United Nations and the Executive Secretaries of the Regional Economic Commissions should issue special messages on the International Year for Human Rights to be released on 1 January 1968, such messages to be widely circulated by all communications media, including communications satellites."

/...

59. The paragraph was considered by the Committee at its thirteenth and fourteenth meetings. The representative of the Philippines proposed that the recommendation in the first sentence should include the executive heads of the specialized agencies as well as the Secretary-General of the United Nations and the Executive Secretaries of the regional economic commissions. After a brief discussion in the Committee, it was agreed that the words "the executive heads of the specialized agencies" should be inserted after "the Secretary-General of the United Nations", and that the words "and the Executive Director of UNICEF" should be inserted after "regional economic commissions".

60. The Committee also agreed to suggest that the message of the President of the General Assembly should be released on 1 January 1968, and that the messages of other officials should be released during 1968 on the dates they deemed most appropriate. The Committee further agreed to delete the last three words of the paragraph, referring to communications satellites.

61. Accordingly, the Committee submits to the Commission on Human Rights the following recommendation:

III

It is recommended that in December 1967 the President of the General Assembly should issue a special message on the International Year for Human Rights, to be released on 1 January 1968. The Committee further recommends that the Secretary-General of the United Nations, the Executive Heads of the specialized agencies, the Executive Director of UNICEF, and the Executive Secretaries of the regional economic commissions should issue similar messages during 1968 at the time they deem to be most appropriate, such messages to be widely circulated by all communications media.

4. Suggestions for a list of goals in the field of human rights to be achieved by the United Nations not later than 1968

62. Paragraph 8 of the report of the Working Group read as follows:

"Resolution 1961 (XVIII) of the General Assembly in operative paragraph 2 requested the Economic and Social Council to invite the Commission on Human Rights with the assistance of the Secretary-General to prepare inter alia for consideration by the General Assembly suggestions for a list of goals in the field of human rights to be achieved by the United Nations not later than the end of 1968. The Commission on Human Rights has drawn up such a list of goals and the list has been embodied in a draft resolution which the Economic and Social Council has approved and recommended to the General Assembly for consideration at its nineteenth session.

"[The Committee notes with satisfaction the fact that the Committee on the International Co-operation Year has mentioned two of the Conventions in the list drawn up by the Commission on Human Rights:

The Supplementary Convention on the Abolition of Slavery, Slave Trade, and institutions and practices similar to Slavery (7 September 1956);

The Convention on the Prevention and Punishment of the Crime of Genocide (9 December 1948);

and has recommended that all Member States which have not yet done so should become parties to these Conventions before the end of 1965.] 4/

"[In the opinion of the Committee there is another Convention which ought to be added to the list of instruments to be completed and opened for ratification before the end of 1968 - a Convention on the Rights of the Child and of the Family. The Committee accordingly recommends that the Economic and Social Council should invite the General Assembly to consider adding this Convention to the list.] 5/"

"4/ One delegation insisted that the first convention be inserted.

"5/ Two delegations thought that this convention should be deleted."

63. The paragraph was considered by the Committee at its fourteenth to sixteenth meetings. Members of the Committee were unanimous in approving the first and second sub-paragraphs, and agreed that the square brackets should be removed from the latter.

64. With regard to the proposal in the third sub-paragraph, that the Committee should state its view that a Convention on the Rights of the Child and of the

Family should be added to the list of instruments to be completed and opened for ratification before the end of 1968, and that the Committee should accordingly recommend that the Economic and Social Council should invite the General Assembly to consider adding this Convention to the list, there was a difference of opinion in the Committee.

65. Those who favoured the inclusion of the sub-paragraph maintained that the Committee was fully entitled, if it considered it appropriate, to recommend that the Economic and Social Council invite the General Assembly to provide for the completion of a convention on the rights of the child and of the family by the end of 1968; that the work would not be difficult since material which could be used was already in existence; that the Committee, in making such a recommendation, would not be prejudging the decision to be taken ultimately by the competent bodies but would be using the opportunity presented to it to take the initiative in a field which concerned it; that the rights of the child and of the family were of such importance to all human beings that they could not be ignored; and that if children had been able to make their voices heard in the Committee, its members would have realized how urgent was the need for such a convention. It was also pointed out that no objections to the substance of the proposed convention had been voiced in the Committee.

66. Those who opposed the inclusion of the sub-paragraph expressed reservations with regard to the advisability of drafting such conventions and pointed out that the Economic and Social Council had already suggested, in resolution 1015 E (XXXVII), that priority be accorded to sixteen instruments in the field of human rights, and that giving priority to too many projects would have the same effect as giving priority to none of them; that it was unrealistic to expect the completion by 1968 of an instrument of which not even a preliminary draft had been submitted to any United Nations body; that the Committee would be exceeding its terms of reference by recommending the preparation of a new international convention; that the rights of children were being considered by United Nations bodies and organs in other contexts; that the work programme of the Commission on Human Rights was already sufficiently heavy up to 1968 without adding to it the task of preparing a new instrument; and that it was preferable to concentrate on ensuring the implementation of existing instruments rather than to proliferate new ones.

67. The representative of the Philippines proposed, at the fourteenth meeting of the Committee, that the text in sub-paragraphs 2 and 3 should be replaced by the following:

> "The Committee notes that the recommendation of the Economic and Social Council contained in resolution 1015 E (XXXVII) had not been considered by the General Assembly at its nineteenth session. The Committee hopes that, at its twenty-first session, the Commission on Human Rights may give consideration to the list contained in its resolution 6 (XX), as adopted by the Economic and Social Council in its resolution 1015 E (XXXVII), with a view to including, as appropriate, other United Nations documents and proposals relating to human rights."

68. The representative of Jamaica proposed, at the fifteenth meeting of the Committee, that if the Committee should decide to adopt the Philippine text to replace the text in sub-paragraph 3, which she preferred, it should insert, after the words "with a view to including", the words "the Convention on the Rights of the Child and of the Family and ...". The representative of the Philippines was unable to accept this amendment.

69. The Committee agreed, at its fifteenth meeting, that the Philippine text would be included in the present report so that the Commission on Human Rights would be aware of the two proposals which had been considered by the Committee. It further agreed to include in the present report not only paragraph 8, including the square brackets around its last sub-paragraphs, but also views at variance with it.

70. Accordingly, the recommendations submitted by the Committee to the Commission on Human Rights read as follows:

IV

Resolution 1961 (XVIII) of the General Assembly, in operative paragraph 2, requested the Economic and Social Council to invite the Commission on Human Rights, with the assistance of the Secretary-General, to prepare, inter alia, for consideration by the General Assembly, suggestions for a list of goals in the field of human rights to be achieved by the United Nations not later than the end of 1968. The Commission on Human Rights has drawn up such a list of goals and the list has been embodied in a draft resolution which the Economic and Social Council has approved and recommended to the General Assembly for adoption at its nineteenth session.

The Commiteee notes with satisfaction the fact that the Committee on the International Co-operation Year has mentioned two of the Conventions in the list drawn up by the Commission on Human Rights: the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 7 September 1956, and the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, and has recommended that all Member States which have not yet done so should become parties to these Conventions before the end of 1965.

[In the opinion of the Committee there is another Convention which ought to be added to the list of instruments to be completed and opened for ratification before the end of 1968 - a Convention on the Rights of the Child and of the Family. The Committee accordingly recommends that the Economic and Social Council should invite the General Assembly to consider adding this Convention to the list.]

71. Regarding the paragraph in brackets, the members of the Committee expressed different opinions. While some members observed that the Committee was fully entitled to recommend to insert this convention, in view of the fact that it is an objective which has been endorsed by several organs of the United Nations, some other members expressed reservation with regard to the desirability of drafting such a convention and considered that, in any case, reference to a text on which work had not even begun was inappropriate in the Committee's recommendations.

72. In view of these decisions, the representative of Denmark requested that the present report should record the view of his Government that the proposal in sub-paragraph 3 of paragraph 8 might have the unfortunate effect of increasing the workload of bodies responsible for the drafting of documents relating to human rights, and that it was not for the Committee, which had been asked only to make recommendations of a technical nature regarding the International Year for Human Rights, to assume a responsibility which lay rather with the Committee's parent bodies. The representative of the United States likewise requested that the present report record the view of his Government, which was opposed to the inclusion of the third sub-paragraph of paragraph 8 because it was disturbed by the proliferation of conventions and thought that it would be better to concentrate on ensuring the implementation of existing instruments.

5. Elimination of Certain Practices

73. Paragraph 9 of the report of the Working Group reads as follows:

"Believing that certain practices which constitute some of the grosser forms of the denial of human rights still persist within the territories of some Member States, the Committee expresses the hope that positive measures will be taken by all Member States by 1968 with respect to the elimination of violations of human rights such as:

"(1) slavery, the slave trade, institutions and practices similar to slavery, and forced labour;

"(2) all forms of discrimination based upon race, sex, language, religion, political and other opinion, national or social origin, property, birth or other status;

"(3) colonialism and the denial of freedom and independence.6/"

"6/ The opinion of the Committee was not unanimous as to the inclusion of the last objective (3)."

74. The paragraph was considered by the Committee at its sixteenth meeting. During the discussion, one member of the Committee raised the objection that the paragraph dealt with matters which came within the purview of another United Nations body, and that his Government could not agree to a statement that colonialism was a violation of human rights or to a recommendation that it should be brought to an end by a definite date, regardless of the circumstances. He pointed out that there were abuses of human rights under regimes other than colonial ones, and that while some Powers had been rapidly decolonizing others had engulfed other peoples and deprived them of their human rights. Another representative remarked that the goals stated in the paragraph would not be of much value unless practical ways of achieving them were indicated.

75. To take account of the significant changes which had taken place in the attitudes of most colonial Powers, the representative of Canada suggested that the paragraph should be amended to read: "... the hope that positive measures would continue to be taken..." However, he later withdrew the suggestion.

76. On the proposal of the representative of Liberia the Committee agreed to approve the paragraph as it stood, omitting foot-note 6.

77. Accordingly, the Committee submits to the Commission on Human Rights the following recommendations:

V

Believing that certain practices which constitute some of the grosse forms of the denial of human rights still persist within the territories some Member States, the Committee expresses the hope that positive measure will be taken by all Member States by 1968 with respect to the eliminatio of violations of human rights such as:

(1) slavery, the slave trade, institutions and practices similar to slavery, and forced labour;

(2) all forms of discrimination based upon race, sex, language, reli political or other opinion, national or social origin, birth or other stat

(3) colonialism and the denial of freedom and independence.

6. A History of the Declaration

78. Paragraph 10 of the report of the Working Group read as follows:

"In the recommendations concerning the celebration of the fifteenth celebration of the Universal Declaration of Human Rights, prepared by the Commission on Human Rights and approved by the Economic and Social Council in resolution 940 (XXV), it was suggested that the United Nations should 'consider in connexion with arrangements for the Twentieth Anniversary of the adoption of the Declaration in 1968, the preparation and publication o a history of the Declaration and other international instruments on human rights, with special reference to progress already achieved, current endeavours and work remaining to be done in the field of human rights, and with a brief and objective account of the role of the United Nations in th process of decolonialization'. The Committee felt that the proposed publication of the history of the Universal Declaration and other internat instruments in human rights should be of a very comprehensive nature, indicating also those articles of the Declaration whose acceptance and imp in national legislation have been particularly difficult.

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"The Committee recommends that the Secretary-General be requested (in collaboration with the interested specialized agencies) to proceed immediately with the preparation of the proposed publication, with a view to having it available by June 1967 and to circulate it widely in the official languages in connexion with the observance of the International Year for Human Rights. In this respect the Committee considered it advisable to leave to the discretion of the Secretary-General the decision on the appropriateness of establishing an editorial board to render him any advice necessary in the preparation of the publication. Such a board might be composed of experts representing, as far as practicable, the main forms of civilization and principal legal systems of the world."

79. The paragraph was considered by the Committees at its sixteenth, twenty-first, and _____th meetings.

80. The discussion in the Committee centered chiefly on whether or not the proposed history should be prepared by "experts", as suggested by the Working Group, or by historians, and whether or not the usefulness of the history would warrant the substantial costs involved in its preparation.

81. The representative of Argentina, who favoured the Working Group's proposal, expressed the view that the publication of a history of the Universal Declaration of Human Rights and other international instruments in the field of human rights should not merely commemorate the adoption of the Declaration; it should also help to promote respect for human rights and fundamental freedoms. As he interpreted the Working Group's proposal, the publication envisaged would refer not only to progress already achieved and current endeavours, but also to work remaining to be done in the field of human rights. He felt that an evaluation of that nature in national and international terms, could be effected only through a study entrusted to experts. He suggested, as a possible alternative, that the United Nations might publish a "history of the Universal Declaration of Human Rights and other international instruments in the field of human rights" in the form of a booklet designed for the general public and would be widely disseminated; the booklet could reproduce the text of the Declaration and recount its history, mentioning, where appropriate, the other international instruments in the field of human rights. In addition, the United Nations might publish, in co-operation with the specialized agencies concerned, a "Report on human rights throughout the world in 1967", recapitulating national and international efforts to promote respect for human rights and summing up the progress achieved between 1945 and 1967. Thirdly, he

suggested that the Committee might recommend that experts should study the possibilities which might be opened up by the use of new methods and techniques in the field of human rights.

82. The representative of Saudi Arabia, on the other hand, expressed the view that the drafting of the proposed history could not be entrusted to experts, since their knowledge of men and of the world was often too bookish. Further, he opposed the preparation of the proposed history as premature in view of the intense constitutional activity occurring in many countries which had only recently attained their independence, and because he considered it too ambitious a work which would cost too much to produce, publish and distribute. Like the representative of Argentina, he favoured the publication of a booklet designed for the general public, in "popular" form, recounting the various stages in the adoption and implementation of the Declaration. Such a publication, in his view, would stimulate the conscience of the public with regard to human rights.

83. (To be completed later with regard to previous and following paragraphs on this question.)

7. International Measures for the protection and guarantee of human rights

84. Paragraph 11 of the report of the Working Group read as follows:

> "Measures for the effective implementation of the rights and freedoms set forth in the Universal Declaration have been under consideration in the United Nations for many years. A draft Covenant on Civil and Political Rights and a draft Covenant on Economic, Social and Cultural Rights are almost completed, the main outstanding questions being whether one form or another of international machinery, or any international machinery at all, should be provided for in order to secure the implementation of these Covenants. The Committee is confident that action on these two draft Covenants and the other Conventions or international agreements in the field of human rights listed in the draft resolution prepared by the Commission on Human Rights for consideration by the Assembly, will be completed before the beginning of the International Year for Human Rights.
>
> "Some members of our Committee consider that no recommendations concerning international measures for the protection of human rights should be made in this report since the question of implementation is still under active consideration in the General Assembly and its general principles will be an important subject of discussion at the next session in connexion with the two draft Covenants mentioned above and the draft Convention on the Elimination of Racial Discrimination.

"Other members of the Committee consider, however, that if by the beginning of 1968 international machinery for the effective implementation of these Covenants and Conventions does not form part of the instruments as adopted, a special United Nations effort towards the provision of international machinery should form part of the measures undertaken in the International Year. It is considered that consultation should take place with Member States on the establishment or activation during 1968 of international or regional organs to which every person, duly constituted groups or individuals or recognized non-governmental organizations could bring formal complaints against any violation of human rights and fundamental freedoms.

"Accordingly, the Committee recommends that the subject of international measures for the guarantee or protection of human rights to be considered further. [If necessary, in connexion with the preparations for the proposed international Review Conference to be held in 1968 and which is dealt with later in this report.]"

85. The paragraph was considered by the Committee at its sixteenth meeting.

86. Some members of the Committee endorsed the paragraph as it stood, and pointed out that it was imperative that international machinery for the effective implementation of the covenants on human rights should be established. Others, however, could not agree to the proposal that a special effort should be made to complete the measures of implementation, as this seemed to imply the use of a forum outside the General Assembly and would run counter to normal procedures.

87. The representative of Argentina proposed the deletion of the second, third and fourth sub-paragraphs. He further proposed that the second sentence of the first sub-paragraph should be deleted and that the third sentence should be amended to read: "The Committee is confident that action on the draft Covenant on Civil and Political Rights and the draft Covenant on Economic, Social and Cultural Rights and the measures of implementation, and the other conventions or international agreements in the field of human rights listed in the draft resolution prepared by the Commission on Human Rights for consideration by the General Assembly, will be completed before the beginning of the International Year for Human Rights." The representative of the Netherlands proposed that if the Argentine amendment were to be found acceptable, the following text should be added to it: "If, however, by the beginning of 1968, international machinery for the effective implementation of these covenants and conventions does not form part of the instruments as adopted, international measures for the guarantee or

protection of human rights should be a subject of serious study during the International Year for Human Rights." The representative of the Philippines proposed that the Netherlands sub-amendment should be completed by the insertion of the words, "or international agreements", after the word "conventions". The representative of Argentina accepted the Netherlands and Philippines modifications of his amendments.

88. Some members of the Committee favoured retention of the original text, while others supported the Argentine amendment as revised. In particular, the representatives of Costa Rica and Jamaica requested that their reservations concerning the Argentine amendments should be recorded in the present report.

89. The representative of the Soviet Union pointed out that paragraph 11, like other paragraphs of the report, should reflect the Committee's decision, taken in respect of paragraph 6, to refer not only to the Universal Declaration of Human Rights but also to the other declarations and instruments of the United Nations relating to human rights. The Rapporteur was authorized to attend to this point.

90. Accordingly, the Committee submits to the Commission on Human Rights the following recommendation:

VI

Measures for the effective implementation of the rights and freedoms set forth in the Universal Declaration of Human Rights and other declarations and instruments of the United Nations relating to human rights have been under consideration in the United Nations for many years. The Committee is confident that action on the draft Covenant on civil and political rights and the draft Covenant on economic, social and cultural rights, and measures of implementation, and on the other conventions or international agreements in the field of human rights listed in the draft resolution prepared by the Commission on Human Rights for consideration by the General Assembly, will be completed before the beginning of the International Year for Human Rights. If, however, by the beginning of 1968 international machinery for the effective implementation of these covenants and conventions or international agreements does not form part of the instruments as adopted, international measures for the guarantee or protection of human rights should be a subject of serious study during the International Year for Human Rights.